

REMARKS

The Examiner indicates in the disposition of claims that claims 1-41 are pending and that claims 29-41 are allowed and that claims 1-28 are objected to.

It is apparent that the Examiner has not considered the Preliminary Amendment of April 12, 2004, a copy of which is enclosed including a postcard receipt which is clearly reflected although partially obscured by the Patent Office Mail Room stamp of April 12, 2004.

It is requested that the Examiner forthwith issue an Office Action regarding claims 42-43 which were added by the enclosed Preliminary Amendment as originally filed with the application papers on April 12, 2004.

Early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1312.35259CC2) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Donald E. Stout
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Attachments

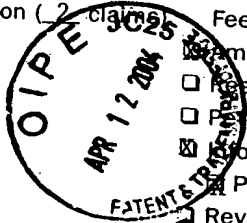
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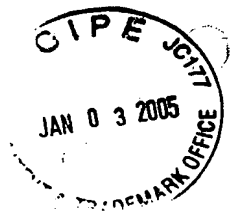
Patent Dkt. No. 1312.35259CC2 Attorney Initials DES
Application No. R53(b) of 08/818.9f7 Filing Date April 12, 2004
Applicant(s) WILSON
Papers Filed Herewith on April 12, 2004

Receipt is hereby acknowledged of the papers filed as indicated by the checked items in connection with the above-identified application:

- | | |
|--|---|
| <input checked="" type="checkbox"/> New Application Transmittal Form | <input checked="" type="checkbox"/> Credit Card Payment Form |
| <u>40</u> Pages of Specification (<u>2</u> claims) | Fees \$ <u>385.00</u> |
| <u>11</u> Sheets of Drawings | <input checked="" type="checkbox"/> Amendment Preliminary |
| <input checked="" type="checkbox"/> Declaration (<u>2</u> pages) | <input type="checkbox"/> Response to Office Action |
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Petition for Extension of Time (<u> </u> mos) |
| <input type="checkbox"/> Claim for Priority | <input checked="" type="checkbox"/> Information Disclosure Statement |
| <input type="checkbox"/> Priority Documents | <input type="checkbox"/> PTO-1449 <input type="checkbox"/> Copies of References |
| <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> Revised Drawings (<u> </u> sheets) |
| <input type="checkbox"/> Issue Fee Transmittal | <input type="checkbox"/> Notice of Appeal |



☒ Other Transmittal of Formal Drawings; Verified Statement
Claiming Small Entity Status-Independent Inventor; Declaration
of David E. Wilson pursuant to 37 CFR §131 and 28 USC §1746



1312.35259CC2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: WILSON

Serial No.: Rule 53(b) of 08/818,717

Filed: April 12, 2004

For: IMPROVED PLANTER WITH ACCURATE METERING OF THE RATE
OF PLANTING OF SEED

Art Unit: Unassigned (3671 previously in parent application)

Examiner: Unassigned (V. Batson previously in parent application)

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 12, 2004

Sir:

Prior to examination on the merits, please amend the above-identified
application as follows:

Amendments to the Specification

Amendments to the Claims

Remarks are provided following the amendments.

AMENDMENTS TO THE SPECIFICATION:

Please insert the following new paragraph on page 1, prior to line 3:

--This application is a continuation application of U.S. Patent Application
Serial No. 08/818,717, filed March 14, 1997, the subject matter of which is
incorporated herein by reference.--

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF THE CLAIMS:

Claims 1-41 (Cancelled).

42. (New) A seed planter comprising:

a frame having a plurality of wheels for rolling over a surface of ground to be planted with seed;

a seed container for containing seed to be planted in the ground;

a support which is joined to the frame and to the seed container to transfer weight of the seed container to the frame, the support including weight sensing devices which sense a weight of the seed container and any seed transferred through the support to the frame and providing an output of sensed weight; and

a display, coupled to the output, for displaying the weight of the seed contained in the seed container; and wherein

the weight sensing devices comprise load cells for being loaded with weight of the seed transferred from the seed hopper through the load cells to the frame.

43. (New) A method for modifying a seed planter having a frame having a plurality of wheels for rolling over a surface of ground to be planted with seed and a seed container joined to the frame for containing the seed to be planted comprising:

separating the seed container from being joined to the frame;

positioning a support between the seed container and the frame to join the support to the frame and to the seed container, the positioned support transferring

weight of the seed container to the frame and including weight sensing devices which sense a weight of the seed container and any seed in the seed container transferred through the support to the frame and which provides an output of the sensed weight; and

providing a display on the seed planter for displaying the weight of the seed contained in the seed container; and wherein

the weight sensing devices comprise load cells for being loaded with weight transferred from the seed hopper through the load cells to the frame.

REMARKS


Prior to calculation of the filing fee, please cancel original claims 1-41 without prejudice or disclaimer.

Newly submitted claims 42 and 43 are generic to claims 42 and 43 of the parent application.

The Examiner is requested to consider and make of record the prior art in the parent application. If the Examiner cannot obtain any of the prior art, it is requested that he contact the undersigned.

To the extent necessary, applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (referencing case No. 1312.35259CC2) and please credit any excess fees to such deposit account.

Respectfully submitted,



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